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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY



SHERIFF
WAYNE V. GAY

September 12, 2001

P.O. BOX 1666
WILSON, N.C. 27894-1666
252-237-2118
FAX 252-399-2871

Magalie Roman Salas, Secretary
Federal Communications Commission
The Portals, 445 12th Street, S.W.
Washington, DC 20554

Re: Ex Parte Presentation in Inmate Remand CC Docket No. 96-128

Dear Ms. Salas:

In accordance with Section 1.1206(b) of the Commission's rules, enclosed are two copies of an ex parte presentation submitted to The Honorable Michael K. Powell by Wayne V. Gay, Sheriff of Wilson County, and thirty-eight other sheriffs in North Carolina.

Sincerely,

Wayne V. Gay
Sheriff, Wilson County
Second Vice President
National Sheriffs Association

Enclosures

cc: The Honorable Michael K. Powell

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The Honorable Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Ex Parte Presentation Re: Inmate Remand CC Docket No. 96-128

Dear Chairman Powell:

We the undersigned sheriffs of North Carolina county jails are concerned about the long term availability of inmate telephone service in our state. Over 80% of the calls from county jails are local collect calls. The rates for these calls are capped by the North Carolina Utilities Commission at the rates set by the local telephone companies 20+ years ago. All but two of these local telephone companies have never provided inmate phone service and the major company that has, BellSouth, is now quitting. The major long distance carriers are not willing to provide service to our small jails.

The North Carolina Payphone Association attempted to have the issue of below cost rates resolved by the North Carolina Utilities Commission. The Commission turned down the request citing "healthy competition" in the market. Five years ago we had eight independent inmate phone service providers operating in North Carolina. Today we only have two companies still providing service to county jails. With local collect call rates that are less than one-half the national average rate of \$2.13 and the increasing costs of operating inmate phones, we are concerned that the remaining two providers will also abandon North Carolina.

We support low rates to consumers, but if the rates are so low that no company can afford to provide the service the inmates will be left with no regular means of talking with their families or attorneys. Because of security concerns, we will be left with unbelievable staffing problems to provide limited officer supervised calling.

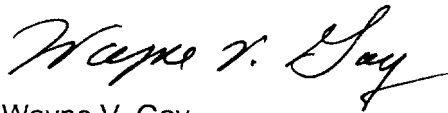
Five years after Congress mandated "fair compensation for each and every intra-state and inter-state call", why has the FCC failed to act? It is past time for the FCC to correct this problem. We respectfully ask you and your new administration to take prompt action to require the local telephone companies to update their tariffs. We support the change of the local call element for collect calls to a rate equal to the service provider's de-regulated local coin call rate.

"The sheriff shall keep and preserve the peace of his county."

Thank you for your time and attention to this very important matter.

As required by the Commission's rules, two copies of this ex parte presentation have been submitted to the Commission's Secretary.

Respectfully submitted,



Wayne V. Gay
Sheriff, Wilson County
Second Vice President
National Sheriffs Association

Enclosure

cc: Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Kevin J. Martin
Ms. Dorothy Attwood, Chief Common Carrier Bureau
Mr. Jeff Carlisle, Senior Deputy, Common Carrier Bureau
Ms. Jane Jackson, Chief Competitive Pricing Division
Ms. Magalie Roman Salas, Secretary
Congressman Richard Burr
Congressman Charles H. Taylor

Jim Hartley
Sheriff, Ashe County

R. Alan Jordan
Sheriff, Beaufort County

Roger L. Hutchings
Sheriff, Caldwell County

Ralph Thomas, Jr.
Sheriff, Carteret County

J. I. Smith, Jr.
Sheriff, Caswell County

I. L. Gray
Sheriff, Chatham County

Fred A. Spruill
Sheriff, Chowan County

Jerry G. Monette
Sheriff, Craven County

Susan D. Johnson
Sheriff, Currituck County

Bert Austin
Sheriff, Dare County

William A. Whitaker
Sheriff, Davie County

L. Glenn Jernigan
Sheriff, Duplin County

James L. Knight
Sheriff, Edgecombe County

Lemmie Smith
Sheriff, Greene County

Jeff Frazier
Sheriff, Halifax County

Larry C. Knott
Sheriff, Harnett County

Juan E. Vaughan, Sr.
Sheriff, Hertford County

David T. Mason
Sheriff, Hyde County

Robert R. Mason
Sheriff, Jones County

Billy A. Bryant
Sheriff, Lee County

Barbara Pickens
Sheriff, Lincoln County

Jimmy Grimes
Sheriff, Nash County

Wardie Vincent, Sr.
Sheriff, Northampton County

Daniel A. Miller
Sheriff, Pamlico County

Dennis M. Oakley
Sheriff, Person County

David R. Satterfield
Sheriff, Polk County

Dale B. Furr
Sheriff, Richmond County

Buck McCullen
Sheriff, Sampson County

Mike Joyce
Sheriff, Stokes County

Connie R. Watson
Sheriff, Surry County

Fred Hemilright
Sheriff, Tyrrell County

R. Thomas Breedlove
Sheriff, Vance County

Johnny M. Williams
Sheriff, Warren County

Stanley James
Sheriff, Washington County

Covey A. Winders
Sheriff, Wayne County

Dane Mastin
Sheriff, Wilkes County

Michael Cain
Sheriff, Yadkin County

Kermit Banks
Sheriff, Yancey County